



Public Notice of Application for State of Washington
Water Quality Certification and Coastal Zone Management Act Consistency

August 31, 2005

Notice is hereby given that a request has been filed with the Washington State Department of Ecology (Ecology), pursuant to the requirements of Section 401 of the federal Clean Water Act of 1977 (PL 95-217), to certify that the project described in the U.S. Army Corps of Engineers Public Notice No. 200300879 will comply with the Sections 301, 302, 303, 306, and 307 of the Act, and with applicable provisions of State and Federal water pollution control laws.

This public notice does not indicate that Ecology or other State agencies have agreed with the proposed projects. This notice is only intended to inform the public of proposed projects, and ask for comments by local, state and federal agencies and the public.

EVALUATION: Ecology understands that the Corps is likely to verify that this project is authorized by Nationwide Permit 27, for stream and wetland restoration activities. If this is the case, an individual 401 water quality certification (WQC) and Coastal Zone Management (CZM) Consistency determination would be required. The decision to issue, deny or condition a WQC or concur with the applicant's CZM Consistency statement will be based on the following: for WQC, it is necessary for the proposed project to comply with the applicable provisions of the federal Clean Water Act and appropriate State aquatic protection requirements. For CZM consistency, it must be in compliance with State and Federal Clean Water and Air Acts, the Shoreline Management Act, the State Environmental Policy Act, and other applicable federal and state regulations.

REQUESTOR: Skykomish Habitat, LLC
ATTN: Mr. Eric Gleason
128 Chestnut Avenue
PO Box 1088
Washington Grove, MD 20880-1088

AGENT: Shaw Environmental, Inc.
19909 120th Avenue NE
Suite, 101
Bothell, WA 98011

CORPS REFERENCE #: 200300879

PROJECT: Skykomish Habitat Mitigation Bank (SHMB)

LOCATION: Adjacent to the Skykomish River, approximately 2.5 miles upstream of its confluence with the Snohomish and Snoqualmie Rivers between River Miles 1.8 and 3.0, near the City of Monroe, in Snohomish County, Washington. The bank site is located in Sections 11 and 14, Township 27 North, Range 6 East on the Monroe, Washington USGS quadrangle map; in Water Resource Inventory Area 7

(Snohomish River Watershed); and in USGS Hydrologic Unit 17110009 (Skykomish). Please see the attached Project Vicinity Map for project location.

RECEIVING WATER: Skykomish River and Wetlands associated with Skykomish River

PROPOSED ACTIVITIES: Skykomish Habitat, LLC (proponent), proposes to construct and operate a 239-acre mitigation bank on a 260-acre site. The bank is proposed to be constructed in two separate phases of construction and permitting. The first phase is the only phase being considered under the current application. The site is bordered on the south and east by the Skykomish River, on the west by a 100- to 300-foot-tall escarpment, and to the north by agricultural and athletic fields. The site is partially protected from overbank flooding by a county-owned levee located along the east edge of the site. A boundary survey will be required prior to certification of the bank (all areas in this notice are approximate).

Currently the 172-acre first phase of the SHMB is comprised of stream channel; forested riparian zone; 20-acres of Category 1 scrub-shrub, emergent, aquatic bed and open water wetland; one acre of Category 3 scrub-shrub, emergent, aquatic bed and open water wetland; and 130-acres of other areas such as agriculture lands, farm buildings, ball fields, and a dirt bike track. Development of the SHMB would end the current land uses and result in a site permanently protected by a conservation agreement. The proposal being considered involves construction of 66 acres of wetland creation, 20 acres of wetland enhancement, 6 acres of stream channel creation, 34 acres of riparian/channel complex creation, 11 acres of riparian/channel complex enhancement, 30 acres of upland enhancement, and 5 acres of slope preservation. Connecting the created stream channels to the Skykomish River will involve breaching the southern end of the county-owned levee that is currently on the site. This phase of the construction would also be protected in perpetuity by a 100-foot-wide buffer along its north boundary. Please see the attached Habitat and Grading Plan for further information about the first phase design.

The proposed project is described in more detail in the Joint Aquatic Resources Permit Application prepared by Shaw Environmental, Inc. dated November, 2004.

SERVICE AREA: The proposed service area for SBMB includes WRIA 7 below the 2,500-foot elevation contour downstream to where the Snohomish River starts to mix with the salt water of Puget Sound and becomes estuarine. In the Skykomish River Basin the service area extends up to the City of Index. The service area includes the non-estuarine portions of tributaries to the Snohomish River that enter the river downstream of Highway 2. See the attached Proposed Service Area map for the project's proposed service area.

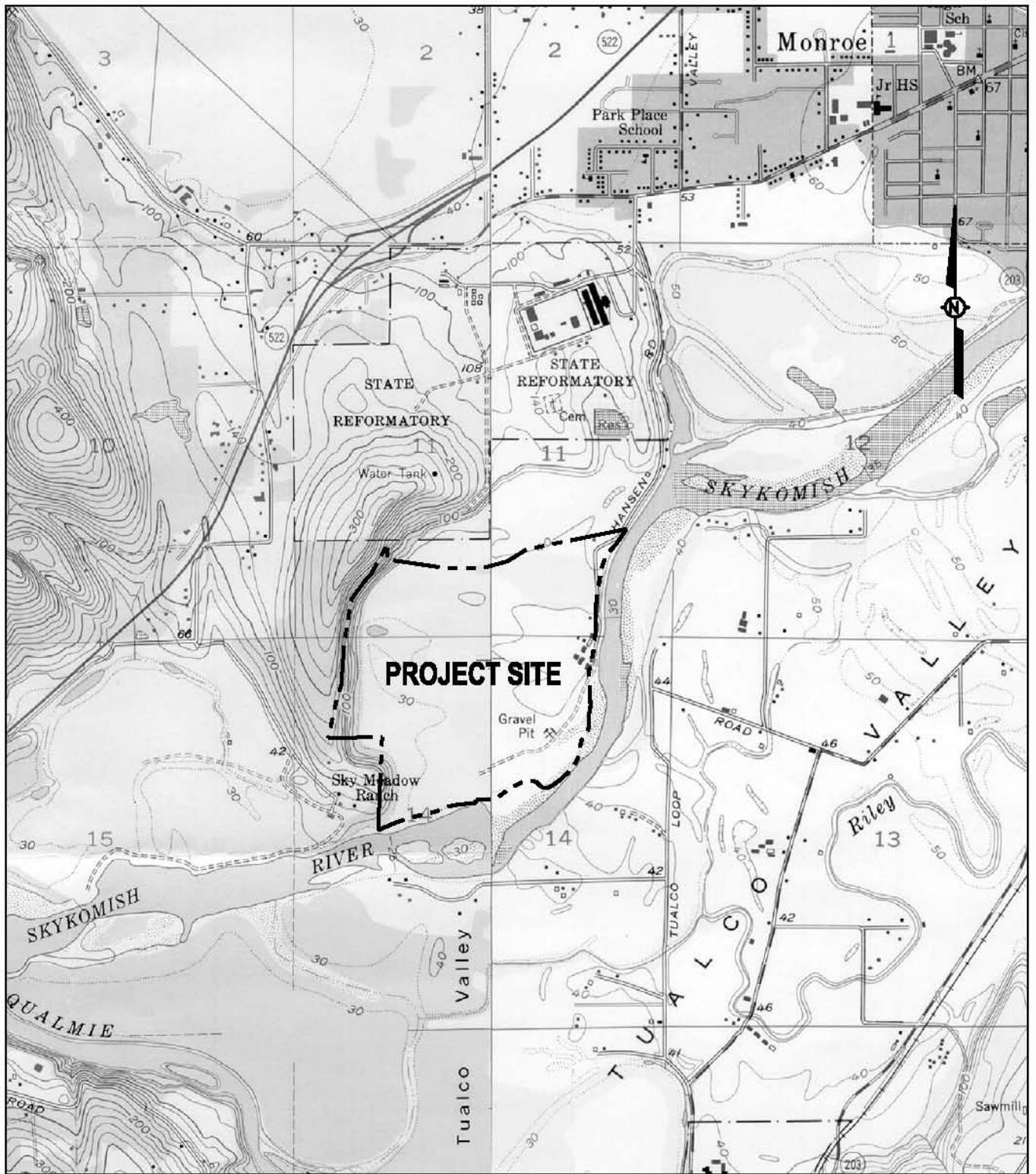
ENVIRONMENTAL IMPACTS: No adverse environmental impacts are anticipated at this time from construction of the SBMB.

EVALUATION CRITERIA: The decision to issue, deny or condition the water quality certification (WQC) will be based on the project's compliance with the applicable provisions of the federal Clean Water Act and all other appropriate State aquatic protection requirements.

COMMENT AND REVIEW PERIOD: The application and related documents are available for inspections and copying between the hours of 8:00 a.m. and 5:00 p.m. weekdays at the Northwest Regional Office of Ecology, located at 3190 160th Avenue SE, Bellevue, WA. Any person desiring to present views on the project pertaining to compliance with water pollution control laws may do so by providing written comments within 21 days of the above publication date to:

Christina Merten
Department of Ecology
SEA Program
3190 160th Avenue SE
Bellevue, WA 98008-5452
Phone Number: 360-407-7186
e-mail: chme461@ecy.wa.gov

Ecology is an Equal Opportunity and Affirmative Action employer and shall not discriminate on the basis of race, creed, color, national origin, sex, marital status, sexual orientation, age, religion or disability as defined by applicable state and/or federal regulations or statutes. If you have special accommodation needs, please contact Ecology's TDD Headquarters at (360) 407-6006.



WASHINGTON



SOURCE:

U.S.G.S. 7.5 Min. Quadrangles - MONROE AND MALTBY, WASHINGTON

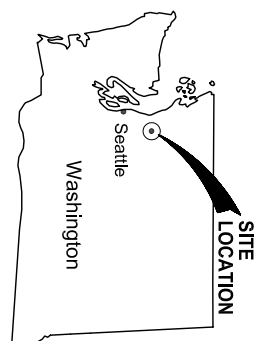
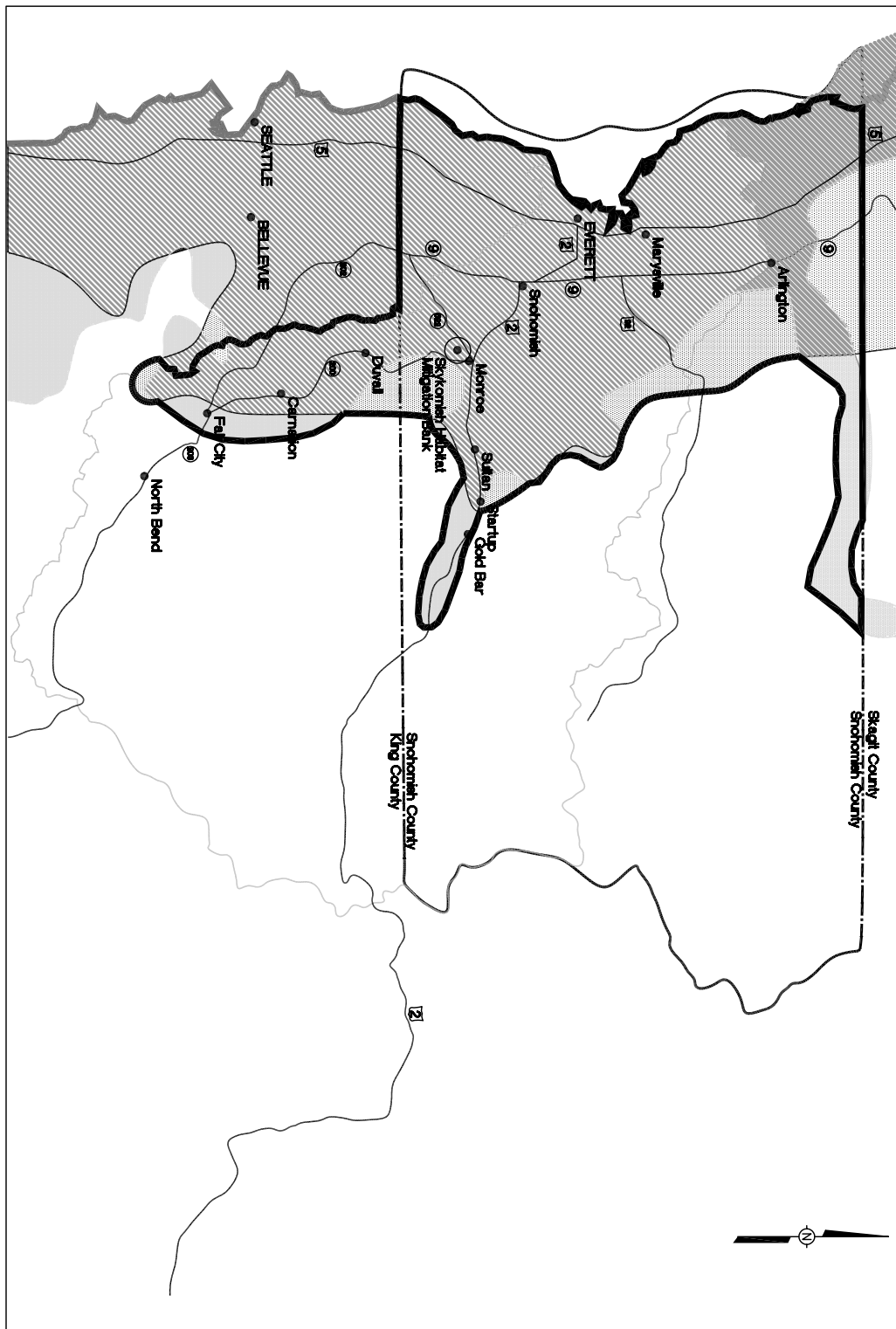


Shaw Environmental, Inc.
19909 120th Avenue N.E., Suite 101
Bothell, Washington 98011
Phone (425) 485-5000
Fax. (425) 486-9766

FIGURE 1

SITE LOCATION MAP





SKYKOMISH HABITAT LLC
SKYKOMISH HABITAT MITIGATION BANK-PHASE 1
MONROE, WASHINGTON



LOCATION MAP

NOT TO SCALE

LEGEND:

- | | |
|--|-----------------------------|
|  | PROPOSED SERVICE AREA |
|  | SNOWSHOE COUNTY BORDER |
|  | WRIA 7 BORDER |
|  | MAJOR INTERSTATE OR HIGHWAY |
| | LOCATION OF TOWN OR CITY |

-  BOUNDARY/AREA OF Ecoregion 2 (PUGET LOWLANDS)
-  BOUNDARY/AREA OF SIMILAR GEOLOGY (QUATERNARY SEDIMENTS)
-  OVERLAPPING Ecoregion AND GEOLOGY AREAS

1. Snohomish County base map was obtained from TPO, National Geographic Maps, Washington DC-ROM.
2. NMA web 2nd border was delineated using Land Cover and Cover code provided by Washington Department of Ecology, GIS Technical Services, 02/26/02.
3. Ecogreen 2nd border was delineated using Level 1000 map provided by Washington State Department of Ecology, National Wetlands Protection Agency, National Environmental and Environmental Effects Research Laboratory, May 2003.
4. Boundary of similar geology was delineated using Geologic Map of Washington provided by Washington State Department of Natural Resources and J. Eric Schaner, 2002.



19909 120th Avenue N.E., Suite 101
Bothell, Washington 98011
Phone (425) 485-5000
Fax. (425) 486-9766

HABITAT MITIGATION BANK - PHASE 1
MONITOR WASHINGTON

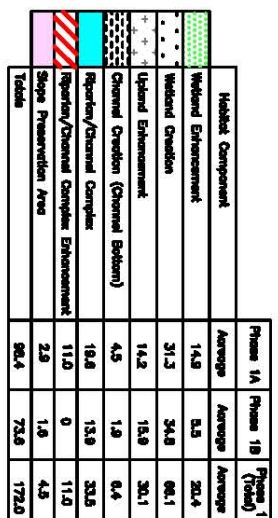
SERVICE AREA MAP

5/2005	APPROVED BY
--------	-------------

NU.	
144794	

114731

1



100' Wide Buffer



SKYKOMISH HABITAT LLC
SKYKOMISH HABITAT MITIGATION BANK-PHASE 1
MONROE, WASHINGTON